

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JUNE 27, 2000
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:25 a.m. The meeting was recessed by Mayor Golding at 10:31 a.m. to convene the Special Joint Council Meeting with the Redevelopment Agency and the Housing Authority thereafter. Mayor Golding reconvened the regular meeting at 10:35 a.m. with Council Member Stallings not present. Council Member Stallings announced that based on the City Attorney's advice, she is not voting on items 116, 203, and S403 today to avoid even the appearance of impropriety. She further stated that she will not be voting on any Ballpark related items until the District Attorney has concluded his investigation. The meeting was recessed by Mayor Golding at 12:06 p.m.

The meeting was reconvened by Mayor Golding at 2:12 p.m. with all members present. Mayor Golding adjourned the meeting at 4:25 p.m..

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Abdelnour (ew/pr)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comments by Carol Leath stating that the City Council is considering giving Michael Galfen a 50-year lease on 70 acres at De Anza Cove to build a hotel. She further stated that if this happens, over 500 families will lose their homes.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A019-031.)

COUNCIL COMMENT:

None.

ITEM-116: Agreement for Disclosure Counsel Services and Litigation Review.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1603) ADOPTED AS RESOLUTION R-293412

Authorizing an agreement with Orrick, Herrington and Sutcliffe, in an amount not to exceed \$35,000 from ballpark disclosure counsel services contingent upon the issuance of bond financing and in an amount not to exceed \$473,500 for Ballpark other bond financing disclosure counsel services and litigation review services;

Authorizing the expenditure of an amount not to exceed \$473,500 from Facilities Ballpark Fund 102214.

SUPPORTING INFORMATION:

Orrick currently is acting as Bond Counsel in the proposed funding for the Ballpark and Downtown Redevelopment Project. Due to the numerous lawsuits that have been initiated on the project, the City is in need of legal services to review the litigation and its impact on the bond financing. Some of these services have already been undertaken by Orrick, others are ongoing as the City proceeds with the various lawsuits filed pertaining to the Ballpark and Downtown Redevelopment Project. O'Melveny and Meyers, underwriters' counsel, will be drafting the official statement for the bond financing. The city will need disclosure counsel to review the official statement. Orrick already has been retained as bond counsel for the financing and is uniquely qualified to provide these services.

Devaney/Swett/Salt

Aud. Cert. 2001190 (Revised).

FILE LOCATION: MEET (64)

COUNCIL ACTION: (Tape location: A123-127.)

MOTION BY MATHIS TO ADOPT. Second by Warden. Passed by the following vote:
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: Ballpark and Redevelopment Project - Amendment.

(Centre City East Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1602) ADOPTED AS RESOLUTION R-293413

Authorizing the execution of a second amendment to the agreement with A.G. Edwards for financial advisory services;

Authorizing the expenditure of an amount not to exceed \$282,500 from the Ballpark Project Fund 102214 for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

The City desires to amend the agreement with A.G. Edwards to increase total expenditures for financial services relating to the Ballpark and Redevelopment Project by \$282,500. These additional expenditures include \$245,000 for fees and \$37,500 for expenses. Of this \$282,500 increase in total expenditures, \$260,000 will be allocated to A.G. Edwards and \$22,500 to Kitahata and Company. The need for these additional financial advisory resources stems from the complex nature of the financing for the Ballpark Project.

FISCAL IMPACT:

The amended agreement between the City and A.G. Edwards will increase total expenditures to a not to exceed amount of \$525,000 for fees and \$72,500 for expenses for a total contract amount of \$597,500. Funds are currently available in the Entertainment/Sports Center - Ballpark Project Fund. Total fiscal impact for this action is \$282,500. Total costs for these services will be paid out of the Entertainment/Sports Center - Ballpark Project Fund.

Frazier/Vattimo/ELK

Aud. Cert. 2001240.

FILE LOCATION: MEET (64)

COUNCIL ACTION: (Tape location: A128-135.)

MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330: Golden Hill Kentucky Fried Chicken.

Matter of an amendment to the Golden Hill Planned District Ordinance to add an exception for a drive-thru facility as an accessory use for a dine-in, pedestrian oriented restaurant within the 25th Street Commercial Corridor; and a Golden Hill Development Permit for the demolition of an existing 1,747 square foot KFC restaurant and construction of a new 2,596 square-foot drive -thru KFC restaurant located at 2496 Broadway (northwest corner of Broadway and 25th Street).

(GHPDO/GHP 96-7583. Golden Hill Community Planning area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in subitem A; adopt the resolution in subitem C to grant the permit with removal of the drive-thru feature; and deny the Amendment in subitem B to the Golden Hill PDO to add an exception for drive-thru facilities:

Subitem-A: (R-2000-1183) CONTINUED TO TUESDAY, AUGUST 1, 2000

Adoption of a Resolution certifying that the information contained in Negative Declaration LDR-96-7583 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines and that said ND reflects the independent judgement of the City of San Diego as Lead Agency; and stating for the record that the final ND has been reviewed and considered prior to action on the project.

Subitem-B: (O-2000-164) CONTINUED TO TUESDAY, AUGUST 1, 2000

Introduction of an Ordinance amending the Golden Hill Planned District (Sections 103.0712.B.8.c and 103.0717.B).

Subitem-C: (R-2000-) CONTINUED TO TUESDAY, AUGUST 1, 2000

Adoption of a Resolution granting or denying Golden Hill PDO Permit No. 96-7583, with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

Planning Commission voted 6-0 to approve; was opposition.

Ayes: Steele, Brown, Butler, Skorepa, Stryker, White
Nays: None
Abstaining: None
Not present: Anderson

The Greater Golden Hill Planning Committee has recommended denial of this project.

SUPPORTING INFORMATION:

Tricon Incorporated filed an application for an amendment to the Golden Hill Planned District Ordinance (GHPDO) to add an exception for a drive-thru facility as an accessory use for a dine-in, pedestrian oriented restaurant within the 25th Street Commercial Corridor. The Golden Hill Planned District Ordinance does not permit drive-thru facilities. Tricon, Inc. proposes to demolish an existing KFC restaurant located at the northwest corner of Broadway and 25th Street and construct a new 2,596 square-foot KFC restaurant with drive-thru service. The proposed new KFC does not meet all the development standards of the Golden Hill Planned District Ordinance therefore, Tricon is also requesting deviations to the required minimum lot coverage, street wall, transparency, parking off alley and signage. A Golden Hill Planned District Ordinance (GHPDO) permit is required for approval of the deviations.

On March 2, 2000, the Planning Commission held a public hearing on the proposed GHPDO

amendment and permit. Following public testimony, the Planning Commission voted 6-0 to recommend that the City Council deny the amendment to the Golden Hill Planned District Ordinance and approve the demolition of the existing KFC restaurant and approve construction of a new KFC without a drive-thru feature and to require the installation of bicycle racks as part of the project.

The City Manager Recommends:

1. CERTIFICATION of Negative Declaration No. 96-7583.
2. DENIAL of the Amendment to the Golden Hill PDO to add an exception for drive-thru facilities.
3. APPROVAL of GHPDO permit No. 96-7583 with removal of the drive-thru feature.

FISCAL IMPACT:

None.

Costs of processing project are paid by the applicant through a deposit account.

Loveland/Haase/GIS

LEGAL DESCRIPTION:

The project site is legally described as Lot "F" in Block 4 of Golden Hills, Map No. 792, January 23, 1895.

FILE LOCATION: PERM-96-7583 (65)

COUNCIL ACTION: (Tape location: A043-080.)

CONSENT MOTION BY MATHIS TO CONTINUE TO AUGUST 1, 2000, AT THE REQUEST OF COUNCIL MEMBER VARGAS FOR FURTHER REVIEW. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: Del Mar Mesa Specific Plan Amendment.

Matter of a proposed amendment to the Del Mar Mesa Specific Plan. The purpose of the amendment is to better implement the overall goal of the plan, which is to preserve the rural character of the community while accommodating clustered development and the preservation of open space. The amendment includes the addition of a design guidelines section and further clarifies the existing goals of the specific plan. The Del Mar Mesa community is located east of Carmel Valley, west of Rancho Peñasquitos, north of Los Peñasquitos Canyon Preserve and south of Pacific Highlands Ranch.

As part of the amendment to the Del Mar Mesa Specific Plan the City Council will consider approving and adoption of the following:

1. Amendment to the Del Mar Mesa Specific Plan to add a design guidelines section for the community and amend other elements of the plan to further clarify the existing goals of the specific plan.
2. Certification of an addendum to a Master Environmental Impact Report, No. 95-0353.
3. Amendments to the City of San Diego Progress Guide and General Plan and the North City Future Urbanizing Area Framework Plan. This action is necessary to maintain conformity between the General Plan and the community plans.
4. Amendment to the Local Coastal Program (LCP) for the portions of Del Mar Mesa within the boundary of the coastal zone. If adopted by the City, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The proposed amendment will not become effective until after approval by the California Coastal Commission.

(Del Mar Mesa Community Plan area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in subitems A and C; and introduce the ordinance in subitem B:

Subitem-A: (R-2000-1425) ADOPTED AS RESOLUTION R-293414

Adoption of a Resolution certifying that the information contained in Addendum LDR No. 40-0212, Addendum to Master Environmental Impact Report No. 95-0353 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report reflects the independent judgment of The City of San Diego as Lead Agency and has been reviewed and considered by the Council pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-2000-179) INTRODUCED AS AMENDED, TO BE ADOPTED ON
JULY 17, 2000

Introduction of an Ordinance amending the Del Mar Mesa Specific Plan.

Subitem-C: (R-2000-1424) ADOPTED AS AMENDED AS RESOLUTION
R-293415

Adoption of a Resolution amending the Progress Guide and General Plan, the North City Future Urbanizing Area Framework Plan, and the North City Local Coastal program.

OTHER RECOMMENDATIONS:

Planning Commission voted 5- 0 to recommend approval to the City Council of amendments to the Del Mar Mesa Specific Plan, the Progress Guide and General Plan, the North city Future Urbanizing Area Framework Plan and the North City Local Coastal Program; no opposition.

Ayes: White, Brown, Steele, Butler, Skorepa
Not present: Anderson, Stryker

The Del Mar Mesa Community Planning Board has recommended approval of this project.

SUPPORTING INFORMATION:

The Del Mar Mesa community, located east of Carmel Valley, west of Rancho Peñasquitos, north of Los Peñasquitos Canyon Preserve and south of Pacific Highlands Ranch consists of very low density, scattered, single-family residences on large lots, commercial and private equestrian facilities, a network of unimproved hiking and equestrian trails and natural open spaces. The

Del Mar Mesa Specific Plan, which established land uses and development regulations for Subarea V of the North City Future Urbanizing Area, was adopted by the City Council on May 27, 1997. The main purposes of the plan were to establish development regulations to permit the allocation of density to more developable portions of the subarea and to preserve the rural character of the community while accommodating clustered development and the preservation of open space. The plan included goals and principles to preserve the rural character of the community, including rural street design guidelines and a network of multipurpose and equestrian trails. Since the adoption of the specific plan, Planning and Development Review staff and the Del Mar Mesa Planning Board have had the opportunity to review several development proposals against the policies in the plan. During the review of these proposals, a number of issues arose which the Del Mar Mesa Planning Board felt needed to be clarified or changed in order to ensure the preservation of the rural character of the community. The initiation of a plan amendment and a scope of work for the amendment was approved by the Land Use and Housing Committee on April 21, 1999, as part of the Planning and Development Review Department work program. After working with the planning board, landowners, consultants, developers and residents, a proposed plan amendment was drafted which included the addition of a community design guidelines element and revisions to the land use, circulation, facilities and open space elements in order to better preserve the rural character of the community and revise the plan to be consistent with the recently adopted Multiple Species Conservation Program and the Land Development Code.

On February 24, 2000, the Del Mar Mesa Planning Board voted 12-1-0 in favor of the draft Del Mar Mesa Specific Plan amendment.

On April 20, 2000 the Planning Commission voted 5-0-0 to recommend to the City Council approval of the amendment to the Progress Guide and General Plan, the Local Coastal Program Land Use Plan and the Del Mar Mesa Specific Plan.

Because a portion of the community is in the coastal zone, the amendment will need to be certified by the California Coastal Commission after approval by the City Council as an amendment to the North City Local Coastal Program.

FISCAL IMPACT:

None.

Loveland/Goldberg/ll

LEGAL DESCRIPTION:

The Del Mar Mesa Subarea is generally located south of the proposed SR 56 alignment, north of Penasquitos canyon, east of Carmel Country Road and west of Camino Ruiz.

FILE LOCATION: Subitems A & C: LAND - Progress Guide and General Plan/Del Mar Mesa (09)
Subitem B: NONE

COUNCIL ACTION: (Tape location: A043-080.)

Hearing began at 10:29 a.m. and halted at 10:31 a.m.

CONSENT MOTION BY MATHIS TO INTRODUCE THE ORDINANCE AS AMENDED AND ADOPT THE RESOLUTION AS AMENDED WITH DIRECTION TO THE CITY MANAGER TO DO THE FOLLOWING: 1) REVISE THE RESOLUTION AND ORDINANCE TO MAKE THE AMENDED PROVISIONS OUTSIDE THE COASTAL ZONE EFFECTIVE IMMEDIATELY; AND 2) REVISE THE RESOLUTION TO INCLUDE THAT COUNCIL CAN GO FORWARD WITH AND IMPLEMENT THE SMALL PORTION THAT IS WITHIN THE COASTAL ZONE, AND ALSO THE PORTION OUTSIDE THE COASTAL ZONE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332: Public Meeting: Midway Business Improvement District (BID) Formation.

(See City Manager Report CMR-00-91. Midway and Peninsula Community Areas. District-2.)

TODAY'S ACTION IS: PUBLIC MEETING HELD

Hold the Public Meeting. The Public Hearing is scheduled for Tuesday, July 18, 2000 at 10:00 a.m.

RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S RECOMMENDATION:

On May 1, 2000, RULES voted 4-0 to approve the City Manager's recommendation. (Councilmembers Mathis, Wear, Warden, and Vargas voted yea. Mayor Golding not present.)

ENVIRONMENTAL IMPACT:

Exempt under NEPA pursuant to 24 CRF Part(a) 58.34 (10) and CEQA guidelines section 15301.C.

FILE LOCATION: STRT-L-22 (32)

COUNCIL ACTION: (Tape location: A043-080.)

Hearing began at 10:29 a.m. and halted at 10:31 a.m.

CONSENT MOTION BY MATHIS TO HOLD THE PUBLIC MEETING. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333: 501-503 14th Street, Keno Wilson House.

Matter of the appeal by Carol Hansen, as Executrix of the Estate of Bernice Hansen, from the decision of the Historical Resources Board in approving the historical site designation of property located at 501-503 14th Street in the Centre City Community Planning Area.

(Centre City Community Plan area. District-8.)

TODAY'S ACTION IS:

A motion either granting or denying the appeal and upholding or overturning the action of the Historical Resources Board.

(R-2000-000) GRANTED APPEAL, OVERTURNED ACTION,
ADOPTED AS RESOLUTION R-293422

CITY MANAGER'S RECOMMENDATION:

Deny the appeal of Carol Hansen and uphold the action of the Historical Resources Board.

OTHER RECOMMENDATIONS:

Historical Resources Board voted 10-1-1 on May 25, 2000 to approve the site's

designation based on HRB-CRITERIA B (Historical person) and C (Architecture); was opposition.

Ayes: Bishop, Christenson, Ahern, Burnett, Delawie, May, Riley, Sewell, Sherr, Stiegler

Nays: Iseman

Abstentions: Furlong

Absent: Malone, Johnson, Sykes

The Centre City Community Planning Group has been notified of this item and has not submitted a recommendation.

CITY MANAGER SUPPORTING INFORMATION:

The Keno Wilson House located at 501-503 14th Street in the Centre City Community Planning area, is a good example of an attractive, up-to-date home for middle income families at the turn of the century. It is representative of a simple, transitional craftsman free classic style structure of the early 20th century period. Jefferson (Keno) Wilson acquired this property in 1899, had the house built the following year, and lived at this address through 1905. During this period, he was employed as a city policeman. By 1909, though living on "I" Street, he was listed as "Keno" Wilson, the famous San Diego Chief of Police.

ANALYSIS:

This two-story Free Classic home, built in 1900, has a pyramidal roof, a corner porch at the entrance and clapboard siding. The porch has a single support column which exhibits very little detail or ornamentation. The west elevation, the side which faces the street, includes two upper story, double hung sash windows and a third, fixed frame window on the ground floor. A fourth, though smaller fixed window was included next to the doorway at the corner porch. The front windows still have the original wood frame, while the side windows have been modified with new aluminum frame windows which can be easily restored to wood frame windows.

This 1900 house is one of a few remaining 100 year old homes in Centre City. Its free classic architectural style is simple, almost modern and could be considered an important, not very common transitional style to the later modern styles of the 1910's.

CONCLUSION:

This building is significant as the former residence of "Keno" Wilson, the former San Diego Chief of Police in the early 1900's (HRB-CRITERION B) and as a good example of an attractive, up-to-date home for middle income families at the turn of the century in the craftsman

free classic architectural style (HRB-CRITERION C). Its simple, distinctive elements transition into a modern style of later years. The building is now 100 years old and is a rare example of that era of development in Centre City.

FISCAL IMPACT:

None.

LEGAL DESCRIPTION:

The subject property is located at 501-503 14th Street and is more particularly described as Horton's Addition, Block 174, Lot F, in the City of San Diego.

FILE LOCATION: GEN'L - 501-503 14th Street, Keno Wilson House (05)

COUNCIL ACTION: (Tape location: D008-E124.)

Hearing began at 2:12 p.m. and halted at 3:02 p.m.

Mayor Golding left at 2:15 p.m.

Testimony in opposition by Marshal Scar and Mari Lia.

MOTION BY VARGAS TO ADOPT THE RESOLUTION TO FIND THAT THE APPEAL FILED BY CAROL HANSON OF THE HISTORICAL RESOURCES, DESIGNATION OF THE PROPERTY LOCATED AT 501-509 14TH STREET BE GRANTED BASED UPON NEW INFORMATION SUBMITTED, SPECIFICALLY, THAT THE PROPERTY DOES NOT REPRESENT A DOCUMENTED ARCHITECTURAL STYLE JUSTIFYING DESIGNATION. TO REFER THIS ITEM TO THE CITY MANAGER AND TO CCDC TO REVIEW HISTORICAL BUILDING POLICIES, AND TO LOOK AT THE FINANCIAL FEASIBILITY OF MOVING THE KENO WILSON HOUSE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-334: The Kenyon Residence.

(Continued from the meeting of June 6, 2000, Item 334, at the request of the attorneys representing the appellant, to allow for time to review the merits of the case.)

Matter of the appeal by Bonair LLC, from the decision of the Historical Resources Board in approving the historical site designation of property located at 750 Bonair Place in the La Jolla Community Plan Area.

(La Jolla Community Plan Area. District-1)

NOTE: Hearing open. No testimony taken on 6/6/2000.

TODAY'S ACTION IS:

A motion either granting or denying the appeal and upholding or overturning the action of the Historical Resources Board.

(R-2000-000) GRANTED APPEAL, OVERTURNED ACTION,
ADOPTED AS RESOLUTION R-293423

CITY MANAGER'S RECOMMENDATION:

Deny the appeal of Bonair LLC and uphold the action of the Historical Resources Board.

OTHER RECOMMENDATIONS:

Historical Resources Board voted 10-3 on April 27, 2000 to approve the building's designation with Boardmembers Christenson, Johnson, and Sykes opposed.

Ayes: Riley, Ahern, Bishop, Burnett, Delawie, Furlong, Malone, May, Sewell,
Stiegler

Nays: Christenson, Johnson, Sykes

Absent: Iseman, Sherr

The La Jolla Community Planning Group has been notified of this item and has not submitted a recommendation.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego Historical Resources Board considered the site location at 750 Bonair Place when brought before the Board in conjunction with a proposed major building modification of a structure of 45 years under San Diego Municipal Code Section 143.0212.

It is the intention of the property owner to demolish the building to make way for a 4 unit apartment building. At the Historical Resources hearing, the Board limited its evaluation solely to the issue of historical significance, leaving the issue of site disposition to be handled separately at a later hearing and upon review by the HRB Design Assistance Subcommittee, as necessary.

According to the historical report submitted, very little historic reference material relating to this area of La Jolla is available at this time. The property in question was not listed in the 1977 Schaelchlin Report of historical La Jolla, nor have any of the occupants been listed in the 1955 Randolph's La Jolla Year by Year. Both documents will be undergoing update this year as part of the La Jolla historical study program, which has been awarded CDBG funding, and for which a consultant team is being sought to work with HRB staff and the La Jolla Historical Society.

The building in question, located at 750 Bonair Place, was constructed in 1952 by Charles H. McCauley, a building contractor under contract to Martha Kenyon, who lived on the property for two years until sold to the Newtons who in turn resided on the property for the next 14 years, until 1968. The Munson family bought it next and has lived on this property until now (32 years.)

The house built in 1947 is a rare Modern Adobe brick house. Charles McCauley appears to have produced a few such homes in San Diego during the late 1940's through early 1950's. The significance of this house stems from the architectural application of adobe brick construction in a modern style. The house is of simple design and has weathered its 53 years very well. The building retains its location integrity. Later modifications (a rear wing) have not compromised the simple original architectural design. Architectural features include adobe brick walls and large wood framed windows.

The site is a significant historical resource under HRB-CRITERION C (Architecture) as follows:

CRITERION C - Embodies distinctive characteristics of a style, type, period or method of construction or is a valuable example of the use of natural materials or craftsmanship.

Adobe architecture is important because it is one of the oldest forms of human shelter making, evidenced by archaeological construction activity long before recorded history worldwide.

Adobe is still used today in some parts of the world. Its basic component is earth, a readily available material. The construction method is low technology, but requires high maintenance. The history of adobe construction in the southwestern United States can be divided into three broad phases: Indigenous, Victorian and Revival.

Indigenous Period. From the 1840's through 1881, it represents an amalgamation of Native American, Spanish Colonial, and Mexican influences with very thick adobe walls rising directly from shallow trenches, has small window openings and is framed with local timbers and flat roofs covered with packed earth over a simple system of log beams branches and straw or grass. The flooring is of packed earth or adobe pavers.

Victorian Period. From 1882 to 1914 is heavily influenced by the Anglo building methods, and the industrial revolution of the late 1800's. It retains the adobe wall construction on continuous stone foundation which supports a raised wood framed floor. Windows were large, often casement or double hung, and buildings have wood framed pitched roofs covered with roof shingles. Walls are covered with lime stucco resulting in a more durable structure that required less maintenance.

Revival Period. From 1915 to 1948 uses construction methods that resembled today's. The adobe walls are placed on a raised concrete foundation and the floor is slab on grade. Adobe walls are completely encased in cement plaster. Often large wood or steel framed windows are included, giving the structure a more modern look. Roof configurations are varied and set upon a concrete bond beam on top of the adobe wall. This bond beam gives the building structural stability important in seismic prone areas such as San Diego.

The Bonair Place residence is a representative example of the Late Revival Period, with strong modern features. With its 1947 construction date and modern design idiom, it could be classified into a new Modern Adobe Period, with its simple design, large wood windows to the floor, and simple roof lines. Modern Southwestern American architects of the early part of the century, liked using the adobe structure as a means of developing a low cost, high quality construction. The adobe style is still very much in use in New Mexico, and no longer in use in Southern California. The Bonair Place house is one of the few such homes built in urban San Diego.

The property owners plan to build a four unit apartment complex on the 12,000 square foot lot. The location of the main house is on one side, so it would be possible to find a way to incorporate the adobe house into a new project. The Historical Resources Board staff is available to work with the property owner to seek a solution that integrates the original adobe house into the new project's design. The HRB Design Assistance Subcommittee could also be instrumental in helping to reach the desired win/win solution.

It is staff's recommendation that the adobe house is architecturally significant in its unique modern design and its uniqueness to urban San Diego, to warrant designation. Designation of the house will not impair densification but it will require that a modified site and architectural design be sought. Benefits of designation include the possibility for Mills Act property tax reduction contracts, use of the Historical Building Code, opportunities for site design flexibility, and historic CUPs which allow for use flexibility.

FISCAL IMPACT:

None.

LEGAL DESCRIPTION:

The subject property is located at 750 Bonair Place and is more particularly described as Block F, Lots 1 & 2.

FILE LOCATION: GEN'L - Kenyon Residence (05)

COUNCIL ACTION: (Tape location: E127-F198.)

Hearing began at 3:03 p.m. and halted at 3:50 p.m.

Testimony in opposition by Matt Peterson, Scott Moomjian, George Champion, and Tom Munson.

MOTION BY WEAR TO ADOPT THE RESOLUTION TO FIND THAT THE APPEAL BY BONAIR LLC FROM THE DECISION OF THE HISTORICAL RESOURCES BOARD DESIGNATING THE BUILDING LOCATED AT 750 BONAIR PLACE, LA JOLLA, CA 92037 BE GRANTED BASED UPON THE FINDINGS SET FORTH AS FOLLOWS:

1. THAT THERE WERE FACTUAL ERRORS IN MATERIALS OR INFORMATION PRESENTED TO THE BOARD (OR IN THE ALTERNATIVE).
2. THAT THERE WAS PRESENTATION OF NEW INFORMATION REGARDING THE CONDITION OF THE ORIGINAL RESIDENCE BUILDING, AND;

3. THAT THE BUILDING IS NOT A SIGNIFICANT EXAMPLE OF THE ARCHITECTURAL APPLICATION OF ADOBE BRICK CONSTRUCTION IN MODERN STYLE REFLECTING THE LATE REVIVAL PERIOD OF ADOBE ARCHITECTURE.

TO DIRECT STAFF TO ASCERTAIN HOW TO EXPEDITE THE PROCESS TIME, AND TO REFER HISTORICAL BUILDING POLICIES TO THE LAND USE AND HOUSING COMMITTEE FOR DISCUSSION.

Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-335: Two actions related to Amendment to the CDBG Program Year 1999 Budget and Loan Repayment.

(Barrio Logan and College Community Areas. Districts-7 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1452 Cor. Copy) ADOPTED AS RESOLUTION R-293416

Declaring that the Community Development Block Grant [CDBG] Program Year 1999 budget is amended to transfer \$121,200 from Section 108 payments, Mercado del Barrio to Barrio Logan Redevelopment Project Area, Planning and Administration;

Authorizing and directing the City Auditor and Comptroller to transfer \$121,200 to the Redevelopment Agency as an interest bearing loan to cover Planning and Administration costs for the Barrio Logan Project Area;

Authorizing and directing the City Auditor and Comptroller to transfer \$50,000 in CDBG funds allocated to the Agency as an interest bearing loan to cover Planning and Administration costs for the Barrio Logan Expansion Project;

Directing the City Auditor and Comptroller to record the above disbursement to the Agency as a loan which shall accrue interest at the rate approved by City Resolution No. R-282415 on July 27, 1993; such interest accrual to be calculated by the City Auditor and Comptroller;

That in the event that the Agency issues bonds, notes, refunding bonds or other instruments of indebtedness of the Agency to carry out the Barrio Logan Redevelopment Project, then any indebtedness of the Agency to the City, including any interest accrued thereon, shall be deemed not to be a first pledge of tax increment allocation received by the Agency pursuant to California Health and Safety Code Section 33670, and any indebtedness of the Agency to the City, including any interest accrued thereon shall be subordinate to any pledge of tax increments to bondholders or the holders of other such instruments of indebtedness.

Subitem-B: (R-2000-1453) ADOPTED AS RESOLUTION R-293417

Authorizing the City Auditor and Comptroller to transfer \$1,000 from Redevelopment Agency Fund 98001 (College Grove Project) to City Fund 10227 (Contribution to Redevelopment Agency) representing payment of interest on loans made by the City to the Agency for the College Grove Redevelopment Project;

Authorizing the City Redevelopment Division to expend an amount not to exceed \$1,000 from Fund 10227 for the purchase of a solar-powered landscape meter to be installed on City-owned property at the southeast intersection of College Avenue and College Grove Drive.

CITY MANAGER SUPPORTING INFORMATION:

1 - The Barrio Logan Redevelopment Project Fund 98901 accumulated \$121,200 in interest earnings from the Mercado HUD 108 loan. Approval of this action will amend the CDBG Program Year 1999 budget, transferring \$121,200 from Section 108 payments, Mercado del Barrio to Barrio Logan Redevelopment Project. Approval will also authorize the transfer of \$121,200 to the Redevelopment Agency as an interest bearing loan to cover Planning and Administration costs for the Barrio Logan Redevelopment Project Area.

2 - In addition, the Barrio Logan project has received \$50,000 from District 8 CDBG funds for the Barrio Logan Expansion project. This action will authorize the transfer of \$50,000 to the Agency as an interest bearing loan.

3 - Approval of this action will authorize: a) acceptance of a loan repayment to Fund 10227 (Contributions to the Redevelopment Agency) from the Redevelopment Agency for the College Grove Redevelopment Project Area in the amount of \$1,000; b) expenditure from Fund 10227 in an amount not to exceed \$1,000 to cover the costs of a solar-powered landscape meter to be installed on City-owned property at the southeast intersection of College Avenue and College Grove Way.

FISCAL IMPACT:

1) The loans to the Redevelopment Agency will increase the Barrio Logan Fund 98900 appropriation by \$171,200 to cover Planning and Administration costs for the Barrio Logan Project Area (\$121,200) and the Barrio Logan Expansion Project (\$50,000). 2) The repayment to the City Contributions to the Redevelopment Agency Fund 10227 in the amount of \$1,000 will be from the College Grove Project fund.

Loveland/Cunningham/Hooks

Aud. Cert. 2001223.

NOTE: See the Redevelopment Agency Agenda of June 27, 2000 for a companion item.

FILE LOCATION: Subitems A & B: MEET

COUNCIL ACTION: (Tape location: A043-080.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-336: North Embarcadero Visionary Plan: Proposed Plan and Ordinance Amendments (Centre City Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance (Companion Item to Redevelopment Agency).

(See memorandum from CCDC. Marina Community Plan area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolutions in subitems A and D; and introduce the ordinances in subitems B and C:

Subitem-A: (R-2000-1534) CONTINUED TO TUESDAY, JULY 18, 2000

Adoption of a Resolution approving and adopting the amendments to the Centre City Community Plan pertaining to the North Embarcadero Visionary Plan.

Subitem-B: (O-2000-184) CONTINUED TO TUESDAY, JULY 18, 2000

Introduction of an Ordinance amending Chapter X, Article 3, Division 20, of the San Diego Municipal Code by amending Section 103.2012 relating to property development regulations.

Subitem-C: (O-2000-185) CONTINUED TO TUESDAY, JULY 18, 2000

Introduction of an Ordinance amending Chapter X, Article 3, Division 19, of the San Diego Municipal Code by amending Sections 103.1903, 103.1904, 103.1910, 103.1915, 103.1918, 103.1925, 103.1933, and 103.1936; by replacing the existing base map for existing figures 1 through 3 with a revised base map; by replacing the existing base map for existing figures 4 through 7 with a revised base map and by renumbering existing figures 4 through 7 to read figures 5 through 8; by amending, replacing the existing base map with a revised base map, and renumbering existing figure 8 to read figure 9; by replacing the existing base map for existing figures 9 through 11 with a revised base map and by renumbering existing figures 9 through 11 to read figures 10 through 12; and by adding new figures 4 and 13; all relating to the Centre City Planned District Regulations.

Subitem-D: (R-2000-1535) CONTINUED TO TUESDAY, JULY 18, 2000

Adoption of a Resolution certifying that the City Council has reviewed and considered information contained in the North Embarcadero Alliance Final Master Environmental Impact Report as a supplement to the Final Master Environmental Impact report for the Centre City Redevelopment project as also supplemented by the final subsequent environmental

impact report for the Ballpark and ancillary development projects, and making certain findings and determinations regarding the environmental impacts of the North Embarcadero Alliance Visionary Plan, and adopting a mitigation, monitoring and reporting program.

NOTE: See the Redevelopment Agency agenda of June 27, 2000 for companion item.

FILE LOCATION: Subitems A, B, C, & D: NONE

COUNCIL ACTION: (Tape location: F202-G096.).

Hearing began at 3:50 p.m. and halted at 4:25 p.m.

MOTION BY KEHOE TO CONTINUE THIS ITEM TO JULY 18, 2000, TO ALLOW THE ASSISTANT CITY ATTORNEY TO MEET WITH CCDC TO DRAFT LANGUAGE FOR THE RESOLUTION IN SUBITEM D FOR CLARIFICATION PURPOSES REGARDING THE MIDWAY. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-S403: Authorizing the expenditure of \$3.80 million from the Ballpark Major Facility Fund for the purpose of additional interim funding for SVERDRUP Civil, Inc. for continued design and construction services for City-related expenses associated with the Ballpark Infrastructure Project, contingent upon approval of the FY 2001 Budget.

(Centre City Redevelopment Project. Districts-2 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1627) ADOPTED AS AMENDED AS RESOLUTION
R-293420

Authorizing the expenditure of an amount not to exceed \$3.8 million in additional interim funding for SVERDRUP Civil, Inc. for continued design and construction services for City-related Project expenses, contingent upon the approval of the Fiscal Year 2001 Budget;

Authorizing the City Auditor and Comptroller to expend the sum of \$3.8 million from Fund 102214, Ballpark Major Facility Fund, said fund to be reimbursed upon the City obtaining permanent financing for the project;

Authorizing the City Manager and City Auditor and Comptroller to take such actions as are necessary and appropriate to implement the purposes and intent of this resolution provided that such actions are otherwise consistent with the MOU, and do not commit the City to any expenditure of funds in excess of expenditures previously authorized and authorized by this resolution;

Declaring that consistent with Section XXXIIIA of the MOU, the City Council reaffirms and reserves to the City the right to determine that the terms of any City or Agency funding or financing, whether interim or permanent, must be reasonably acceptable to the City, which terms include, but are not limited to, the status of sources of revenue to pay for the funding or financing, and any other matter which may affect the City's financing not only of the Project but of any other current or future City project.

CITY MANAGER SUPPORTING INFORMATION:

On December 14, 1999, the City Council authorized the City Manager to execute a phase funded agreement with SVERDRUP Civil, Inc. for Design/Construction Management services for the Ballpark Infrastructure Project and to expend \$6,390,000 for Phase 1 of the contract.

Approval of this action would authorize the expenditure of \$3,800,000 from the Ballpark Major Facility Fund for the purpose of additional interim funding for SVERDRUP, Civil, Inc. for continued design and construction services for City-related expenses associated with the Ballpark Infrastructure Project, contingent upon approval of the FY 2001 Budget.

These funds would be used in order to continue progress on the Ballpark infrastructure Project and specifically for the following purposes:

- (1) Demolition and site remediation of the East Village Square (Park in the Park) properties - building and street demolition to prepare site, including the Park in the Park area;
- (2) Demolition and site remediation of the Ed Plant property - between 8th and 9th and south of Imperial, this block is north of Harbor Drive and would become part of the southern alignment of the new Park Boulevard. The northwest portion of the block is within the Ballpark footprint;

(3) Design of the new Park Boulevard - includes the new diagonal from 12th to Harbor Drive, as well as construction of the traffic circle, and realignment and design of the existing railroad tracks at 8th and Harbor;

(4) Purchase of younger trees to allow for a growing period, which is more cost effective than purchasing mature trees; and

(5) Demolition and remediation of the SDG&E warehouse property - at the northeast corner of 10th and L. The southern third of this block is in the northern portion of the new Park Boulevard and part of 10th Avenue. The southwest portion of the block is within the Ballpark footprint.

Funds budgeted in the Ballpark Major Facility Fund will be used to fund the above items. These funds will be reimbursed with bond proceeds once permanent financing for the Ballpark Project is obtained.

FISCAL IMPACT:

\$3,800,000 in budgeted funds from the Ballpark Major Facility Fund which will be reimbursed with bond proceeds once permanent financing for the Ballpark Project is obtained.

Herring/MCW

Aud. Cert. 2100015.

FILE LOCATION: MEET (64)

COUNCIL ACTION: (Tape location: A136-C241.)

MOTION BY WEAR TO ADOPT THE RESOLUTION APPROVING AN INTERIM FUNDING PLAN TOTALING \$10 MILLION (\$3.8 FOR INFRASTRUCTURE AND \$6.2 FOR THE BALLPARK CONSTRUCTION) AND, FURTHERMORE, DIRECTING THE CITY MANAGER AND AUDITOR TO CREATE A COMPREHENSIVE INTERIM FUNDING PLAN TO KEEP THIS PROJECT ON TRACK THAT WILL NOT AFFECT ANY CAPITAL IMPROVEMENT PROJECT SCHEDULED WITHIN THE CITY OF SAN DIEGO IN THE NEXT 12 MONTHS AND ANY LEVELS OF SERVICE TO THE PUBLIC; AND INCLUDING A COMMITMENT FROM THE PADRES TO PUT IN \$20 MILLION FOR INTERIM FUNDING. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

CLOSED SESSION:

ITEM-CS-1: (R-2000-1640) ADOPTED AS RESOLUTION R-293421

A Resolution adopted by the City Council in Closed Session on June 27, 2000:

Authorizing the City Manager to pay the total sum of \$98,318.93 in settlement of each and every claim against the City, its agents and employees, resulting from the property damage of David Cisneros; authorizing the City Auditor and Comptroller to issue one check in the amount of \$98,318.93 made payable to Luth & Turley, Inc., as the complete and final settlement of the property damage claim which occurred on June 29, 1999.

Aud. Cert. 2001247

FILE LOCATION: MEET

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by at Mayor Golding at 4:25 p.m. in honor of the memory of the:

Veterans of the Korean War as requested by Mayor Golding.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G099.)